

## UNITED STATES DISTRICT COURT

for the  
Southern District of OhioFILED  
RICHARD W. NAGEL  
CLERK OF COURT

1/12/23

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)Priority Mail Express Package Tracking Number  
EI517673716US postmarked January 11, 2023

Case No.

3:23-mj-10

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WEST. DIV. DAYTON

## APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express Package, EI517673716US, addressed to Darien Lacker 2100 auburn ave apt #4 Dayton ohio 45406 with a return address of Anthony Perez 713 Blair PI Santa rosa ca 95401.  
located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

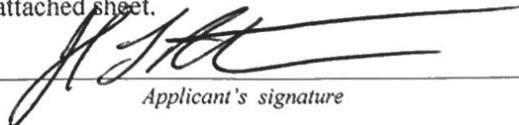
Code Section	Offense Description
21 U.S.C. 841(a)(1)	Distribution and possession with intent to distribute a controlled substance
21 U.S.C. 846	Conspiracy to distribute/possess with intent to distribute a controlled substance
21 U.S.C. 843(b)	Use of a communication facility to commit a felony

The application is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
Applicant's signature

Joseph L. Rossiter, U.S. Postal Inspector


Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone \_\_\_\_\_ (specify reliable electronic means).

Date: 1/12/23

City and state: Dayton, OH

  
Peter B. Silvain, Jr.

United States Magistrate Judge



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF  
PRIORITY MAIL EXPRESS PACKAGE  
TRACKING NUMBER EI517673716US

3:23-mj-10

Case No. \_\_\_\_\_

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, **Joseph L. Rossiter**, being first duly sworn, hereby depose and state as follows:

1. I am a United States Postal Inspector and have been since May 2016. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

2. Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations, law enforcement training, and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain common characteristics and/or circumstances that indicate that a package may contain Drugs and/or Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the

package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanate from the package, and the listed address is located in an area of known or suspected drug activity.

3. On January 12, 2023, Postal Inspectors intercepted a package (hereinafter "the package") at the Dayton Processing and Distribution Center (P&DC) in Dayton, OH. The Package is a Priority Mail Express brown box, bearing tracking number EI517673716US, postmarked January 11, 2023, with the following address information:

**Sender:** Anthony Perez  
713 Blair Pl  
Santa rosa ca 95401

**Addressee:** Darien Lacker  
2100 auburn ave apt #4  
Dayton ohio  
45406

Through training and experience as a Postal Inspector, I know that Northern California is known drug source location.

4. I performed a check in CLEAR database for the addressee's information on the Package of "Darien Lacker 2100 auburn ave apt #4 Dayton ohio 45406." CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no "Darien Lacker" associated with 2100 Auburn Ave, Apt 4, Dayton, OH 45406.

5. I also performed a check in CLEAR for the sender's information listed on the Package of "Anthony Perez 713 Blair Pl Santa rosa ca 95401." According to CLEAR, there is no "Anthony Perez" associated with 713 Blair Pl, Santa Rosa, CA 95401.



6. On January 12, 2023, at my request, Dayton Police Department Officer Jeremy Stewart conducted a narcotics-detection canine "free air" check of the outside of the Package. I was present during said check. The Package was placed in a controlled area with multiple similar and like packages, and presented to narcotics-detection canine, "Weston." As set forth in the attached affidavit of Officer Stewart, "Weston" alerted positively for the presence or odor of a narcotic or other controlled substance on the Package. "Weston" is a trained and certified narcotics-detection canine.

7. Based on my prior law enforcement training and experience as a United States Postal Inspector, the Package's address information, including (i) no known association between the sender and return address, (ii) no known association between the addressee and recipient address, and (iii) the positive alert of the narcotics-detection canine are all indicative of and consistent with Drugs and/or Proceeds in the Package.

Therefore, a search warrant to open the Package is requested.

Further, your affiant sayeth naught.

Respectfully submitted,



Joseph L. Rossiter  
Postal Inspector  
United States Postal Inspection Service

Subscribed and sworn to and before me this 12th day of January, 2023.



Peter B. Silvain, Jr.  
United States Magistrate Judge

